



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

EPA Region 5 Records Ctr.



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NOV 07 2008

REPLY TO THE ATTENTION OF

R-19J

The Honorable Fred Upton  
Member, U.S. House of Representatives  
157 South Kalamazoo Mall  
Suite 180  
Kalamazoo, MI 49007

Dear Congressman Upton:

Thank you for your letter of October 29, 2008, transmitting the Kalamazoo County Council of Governments' interest and endorsement of the industrial development of the Georgia Pacific Paper Mill property as quickly as possible. The Council's letter also indicated its belief that the property's status as a Superfund site and subject of a federal cleanup action prevents potential buyers from redeveloping the property.

Please share with the Council the U.S. Environmental Protection Agency's high level support for the reuse of Superfund sites. As part of the 1993 Superfund Reforms, the Agency developed initiatives and direction for its Superfund remediation program to integrate reuse and redevelopment into the cleanup process; to address that very concern noted by the Council – allow redevelopment and in fact transform a contaminated property's perceived economic value. While the Agency's mission remains the protection of human health and the environment, the Superfund Redevelopment policy complements that commitment.

Specifically, in 2002, the Small Business Liability relief and Brownfields Revitalization Act, Pub. L. 107-118, also known as the Brownfields Amendments, included Superfund liability protections which are self-implementing. A prospective purchaser does not need to obtain approval from the Agency prior to purchasing a site where an EPA cleanup or enforcement action is ongoing or has been completed. EPA also offers many tools to facilitate the reuse of Superfund sites including: comfort letters; site-specific reuse fact sheets; Ready for Reuse Determinations; performance measures which indicate which sites or parts of sites are ready for anticipated use; bona fide prospective purchase "doing work" agreements, and if applicable, partial delistings.

My staff is available to work with the buyers noted in the Council's letter to provide details on the cleanup status of the Georgia-Pacific Mill property. For your information, the property has undergone several actions that removed contaminated material, but remains under investigation to determine if it is contributing contamination to the Kalamazoo River. However, an important note is that the redevelopment process begins with the current property owner.

Please have the Council contact either James Saric or Sam Chummar, the Remedial Project Managers for the site, to discuss proposed development and compatability with the cleanup already effectuated at the site. With regards to the Council's question regarding the length of time to make the land available, please note that the time-frame is more dependent upon factors related to negotiations with the current property owner, local ordinances and building permits; not issues related to the federal Superfund law. Mr. Saric can be reached at 312-886-0992 or [saric.james@epa.gov](mailto:saric.james@epa.gov) and Mr. Chummar can be reached at 312-886-1434.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Mary Canavan or Ronna Beckmann, the Region 5 Congressional Liaisons, at 312-886-3000.

Sincerely,

A handwritten signature in black ink that reads "Richard C. Karl". The signature is written in a cursive style with a large, stylized "R" and "K".

Lynn Buhl *for*  
Regional Administrator